



The relief described hereinbelow is **SO ORDERED**.

Signed September 01, 2020.



Ronald B. King
Chief United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR WESTERN DISTRICT OF TEXAS
WACO DIVISION

IN RE:	§	
LITTLE RIVER HEALTHCARE	§	CASE NO. 18-60526-RBK
HOLDINGS, LLC, <i>et al.</i> , ¹	§	
	§	CHAPTER 7
Debtors.	§	

**ORDER GRANTING MOTION OF CHAPTER 7 TRUSTEE FOR ORDER
ESTABLISHING STREAMLINED PROCEDURES GOVERNING
ADVERSARY PROCEEDINGS BROUGHT BY TRUSTEE PURSUANT
TO SECTIONS 502, 547, 548 AND 550 OF THE BANKRUPTCY CODE**

Upon the *Motion of the Chapter 7 Trustee for Order Establishing Streamlined Procedures Governing Adversary Proceedings Brought by Trustee Pursuant to Sections 502, 547, 548 and 550 of the Bankruptcy Code* (the "Motion"),² filed by James Studensky, the duly appointed Chapter

¹ The Debtors in these chapter 7 cases, along with the last four digits of each Debtor's federal tax identification number, as applicable, are: Compass Pointe Holdings, LLC (1142), Little River Healthcare Holdings, LLC (7956), Timberlands Healthcare, LLC (1890), King's Daughters Pharmacy, LLC (7097), Rockdale Blackhawk, LLC (0791), Little River Healthcare - Physicians of King's Daughters, LLC (5264), Cantera Way Ventures, LLC (7815), and Little River Healthcare Management, LLC (6688)

² Capitalized terms not otherwise defined herein shall have the same meaning ascribed to them as in the Procedures Motion.

7 Trustee (the “Trustee”) for Little River Healthcare Holdings, LLC, *et al.* (the “Debtors”), by and through his undersigned counsel, for entry of a procedures order (the “Procedures Order”) establishing streamlined procedures governing the adversary proceedings brought by the Trustee pursuant to §§ 502, 547, 548, and 550 of the Bankruptcy Code identified on **Exhibit 1** attached hereto (each an “Avoidance Action,” and collectively, the “Avoidance Actions”); and the Court having jurisdiction to consider and determine the Motion in accordance with 28 U.S.C. § 1334; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion and the relief requested therein having been provided; and it appearing that no other or further notice need be provided; and the Court having held a hearing to consider the relief requested in the Motion (the “Hearing”); and upon the record of the Hearing and upon all proceedings had before the Court; and the Court having determined that the legal and factual bases set forth in the Motion establish cause for the relief granted herein; and such relief is in the best interests of the Debtors’ estates, their creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. All parties to the Avoidance Actions shall be governed by the following procedures (the “Avoidance Action Procedures”), which Avoidance Action Procedures are hereby approved and shall govern the Avoidance Actions, effective as of the date of this Order:

- (a) **Extensions to Answer or File Other Responsive Pleading to the Complaint.** The Avoidance Action Procedures automatically extend the time to file an answer or other responsive pleading to a complaint filed in an Avoidance Action by ninety (90) calendar days such that an answer or other responsive pleading is due within ninety (90) calendar days after issuance of the summons.
- (b) **Settlement Procedures.** The following Settlement Procedures are applicable in the Avoidance Actions:

- i. No Settlement will be effective unless it is executed by an authorized representative of the Trustee.
 - ii. With regard to any Settlement of an Avoidance Action with an amount in controversy equal to or less than \$100,000, for the settlement of the Avoidance Action: the Trustee is authorized to settle such Avoidance Action (including, for the avoidance of doubt, any related cross-claims) if the terms of the Settlement are reasonable in the judgment of the Trustee upon consideration of: (A) the probability of success if the Avoidance Action is litigated or arbitrated; (B) the complexity, expense, and likely duration of any litigation or arbitration with respect to the Avoidance Action; (C) other factors relevant to assessing the wisdom of the Settlement; (D) the fairness of the Settlement to the Trustee and the estates, creditors, and shareholders, taking into account the nature of the Avoidance Action at issue; and (E) the extent to which the Settlement is truly the product of arm's-length bargaining, and not of fraud or collusion. The Trustee may, in his discretion, enter into, execute, and consummate a written agreement of Settlement that will be binding on the Trustee and the estates without notice by the Trustee to any third party or further action by this Court.
 - iii. With regard to any Settlement of an Avoidance Action with an amount in controversy greater than \$100,000, or any settlement of the Avoidance Action with a settlement amount greater than \$100,000, for the settlement of an Avoidance Action, the Trustee will compromise and settle the Avoidance Action in accordance with the Bankruptcy Code, Bankruptcy Rules, and Local Bankruptcy Rules.
- (c) **Miscellaneous.**
 - iv. The Local Bankruptcy Rules shall apply, except that the Procedures Order shall control with respect to the Avoidance Actions to the extent of any conflict with the Local Bankruptcy Rules.
 - v. The deadlines and/or provisions contained in the Procedures Order may be extended and/or modified by the Court upon written motion for good cause shown or consent of the parties pursuant to a stipulation filed with the Court.
2. The time periods set forth in this Order and the Avoidance Action Procedures shall be calculated in accordance with Bankruptcy Rule 9006(a).
3. The Court retains jurisdiction with respect to all matters arising from or related to the implantation of this Order.
4. The Trustee will cause a copy of this Order to be filed on the docket in each of the Avoidance Actions.

5. This Order shall be effective immediately upon its entry.

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ORDER SUBMITTED BY:

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COUNSEL FOR JAMES STUDENSKY, CHAPTER 7 TRUSTEE

EXHIBIT 1
LIST OF AVOIDANCE ACTIONS

#	Associated Case	Adversary Proceeding No.
1	20-06012-rbk James Studensky v. Abbvie US LLC	20-06012
2	20-06013-rbk James Studensky v. Agilent Technologies, Inc.	20-06013
3	20-06014-rbk James Studensky v. Altaworx LLC	20-06014
4	20-06015-rbk James Studensky v. Arthrex, Inc.	20-06015
5	20-06016-rbk James Studensky v. Beckman Coulter, Inc.	20-06016
6	20-06017-rbk James Studensky v. Bio-Rad Laboratories, Inc.	20-06017
7	20-06018-rbk James Studensky v. Central Texas Oncology and Palliative Care Managem	20-06018
8	20-06019-rbk James Studensky v. Central Texas Pathology Laboratory, P.A.	20-06019
9	20-06020-rbk James Studensky v. Central Texas Urologic Associates, P.A.	20-06020
10	20-06021-rbk James Studensky v. Dahill Office Technology Corporation	20-06021
11	20-06022-rbk James Studensky v. Ecomed Imaging Services, LLC	20-06022
12	20-06023-rbk James Studensky v. Fujifilm Medical Systems USA, Inc.	20-06023
13	20-06024-rbk James Studensky v. Genzyme Corporation	20-06024
14	20-06025-rbk James Studensky v. Georgetown Orthopedics, P.L.L.C.	20-06025
15	20-06026-rbk James Studensky v. Georgetown Pulmonary Associates P.A.	20-06026
16	20-06027-rbk James Studensky v. Group & Pension Administrators, LLC	20-06027
17	20-06028-rbk James Studensky v. Hing-Sheung Eugene Fung, M.D., P.A.	20-06028
18	20-06029-rbk James Studensky v. Intrinsic Specialty Solutions, Inc.	20-06029
19	20-06030-rbk James Studensky v. Masergy Communications, Inc.	20-06030
20	20-06031-rbk James Studensky v. Microport Orthopedics Inc	20-06031
21	20-06032-rbk James Studensky v. Quest NS Southwest, LLC	20-06032
22	20-06033-rbk James Studensky v. Ronald L. Cox, MD, Inc.	20-06033
23	20-06034-rbk James Studensky v. Roopal Bhatt M.D., P.A.	20-06034
24	20-06035-rbk James Studensky v. Specialty Pharmacy Services Inc.	20-06035
25	20-06036-rbk James Studensky v. Steven Turner Wright, M.D., P.A.	20-06036
26	20-06037-rbk James Studensky v. Tex Elect, Inc.	20-06037
27	20-06038-rbk James Studensky v. Wright Medical Technology, Inc.	20-06038
28	20-06039-rbk James Studensky v. Richards Hospital, Inc.	20-06039
29	20-06040-rbk James Studensky v. Equity Bastrop Investments, LLC	20-06040
30	20-06041-rbk James Studensky v. Stericycle, Inc.	20-06041
31	20-06042-rbk James Studensky v. Greenway Technologies, Inc. et 2693al	20-06042
32	20-06043-rbk James Studensky v. Hologic, Inc. et al	20-06043
33	20-06044-rbk James Studensky v. Janelle House Professional Association et al	20-06044
34	20-06045-rbk James Studensky v. Modular Space Corporation et al	20-06045
35	20-06046-rbk James Studensky v. Praxair, Inc. et al	20-06046
36	20-06047-rbk James Studensky v. 3M Health Information Systems, Inc.	20-06047
37	20-06048-rbk James Studensky v. Leica Microsystems Inc.	20-06048
38	20-06049-rbk James Studensky v. Medtronic USA, Inc.	20-06049

#	Associated Case	Adversary Proceeding No.
39	20-06050-rbk James Studensky v. Advanced Analytical Services, L.L.C. et al	20-06050
40	20-06051-rbk James Studensky v. Pharmerica Hospital Pharmacy Services, LLC et al	20-06051
41	20-06052-rbk James Studensky v. Siemens Healthcare Diagnostics, Inc.	20-06052
42	20-06053-rbk James Studensky v. Stryker Sales Corporation, Stryker Endoscopy a Div	20-06053
43	20-06055-rbk James Studensky v. Thompson MD	20-06055
44	20-06058-rbk James Studensky v. Stryker Sales Corporation, Stryker Instruments, A	20-06058
45	20-06060-rbk James Studensky v. Zimmer US, Inc.	20-06060
47	20-06063-rbk James Studensky v. A&A Telecom Group, Inc. et al	20-06063
48	20-06064-rbk James Studensky v. Aramark Uniform Services (Texas) LLC et al	20-06064
49	20-06065-rbk James Studensky v. Engage Healthcare Marketing LLC et al	20-06065
50	20-06066-rbk James Studensky v. Georgetown OB-GYN, L.L.P. et al	20-06066
51	20-06067-rbk James Studensky v. Sparks Anesthesia Associates, PLLC	20-06067
52	20-06068-rbk James Studensky v. Healthcare Trust, Inc.	20-06068
53	20-06069-rbk James Studensky v. Cortex Medical Management Sytems, Inc.	20-06069
54	20-06070-rbk James Studensky v. Infusion Management, LLC	20-06070
55	20-06071-rbk James Studensky v. Principal Life Insurance Company	20-06071
56	20-06072-rbk James Studensky v. McGinnis	20-06072
57	20-06073-rbk James Studensky v. REVMD Partners	20-06073
58	20-06074-rbk James Studensky v. Male	20-06074
59	20-06075-rbk James Studensky v. Texas Mutual Insurance Company	20-06075
60	20-06076-rbk James Studensky v. UPDOX LLC	20-06076
61	20-06077-rbk James Studensky v. HP Waco FP, LLC et al	20-06077
62	20-06078-rbk James Studensky v. Community Healthcare Trust Inc. et al	20-06078
63	20-06079-rbk James Studensky v. JWC Rentals, LLC et al	20-06079
64	20-06080-rbk James Studensky v. Simply Direct Health, PLLC et al	20-06080
65	20-06081-rbk James Studensky v. Med One Capital Funding - Texas, L.P. et al	20-06081
66	20-06082-rbk James Studensky v. Mitchell et al	20-06082
67	20-06083-rbk James Studensky v. Penmetsa et al	20-06083
68	20-06084-rbk James Studensky v. Metropolitan Life Insurance Company	20-06084
69	20-06085-rbk James Studensky v. Enterprise Fleet Management, Inc. et al	20-06085
70	20-06086-rbk James Studensky v. Stryker Corporation et al	20-06086
71	20-06087-rbk James Studensky v. AmerisourceBergen Drug Corporation	20-06087
72	20-06088-rbk James Studensky v. LTC Support Services PLLC et al	20-06088
76	20-06092-rbk James Studensky v. Regus Corporation	20-06092